

CALIFORNIA'S SELF-DETERMINATION PROGRAM

Presentation by

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GOVERNOR BROWN SIGNING SELF-DETERMINATION BILL



PRINCIPLES OF SELF-DETERMINATION

- **Freedom** – Exercise same rights as all citizens; establish with chosen supporters, where and with whom you want to live, how time will be occupied, and who supports you.
- **Authority** – Control a certain sum of dollars to purchase services or supports of their choosing.
- **Support** – Arrange resources and personnel that assist a person with a disability to live and contribute to a life in the community.
- **Responsibility** – Make their own decisions, be accountable for the use of public dollars, and accept a valued role in the community.
- **Confirmation** – Validation of the critical role in making decisions in their own lives and designing and operating the system they rely on.

SELF-DETERMINATION PROGRAM

- Provides regional center consumers and their families with more control and flexibility over the services and supports they need.
- Voluntary program that provides consumers with an individual budget to purchase the services and supports they need to implement their Individual Program Plan (IPP).
- Based on a 15-year old pilot program in which almost 200 individuals tested self-determination in 5 regional centers.
- Successful pilot program led to this expansion throughout California.
- Traditional regional center services will continue to be provided to consumers who don't participate.

TIMELINE

- It will take several years for Self-Determination to be fully running
- **December 31, 2014** – DDS applied for federal Medicaid funding to establish and fund the program. Need to make changes and reapply.
- **2015** – Self-determination programs will begin planning stages at all regional centers based on DDS guidelines and advice from local advisory committees.
- **Early 2016** – After federal government approves funding, the program becomes available in every regional center. For the first 3 years, the number is capped at 2,500 individuals throughout the state.
- **Three years after funding approval** – The program will be available to all eligible consumers with no limit on the number of participants.

ELIGIBILITY

- You or your family member must:
 - Have a developmental disability;
 - Currently be receiving regional center services or be a new regional center consumer;
 - All ages except if under age 3, must be qualified through the Lanterman Act (not Early Start);
 - Live at home, in the community, or in a group home; and
 - Be a responsible participant.
- Self-determination is available regardless of your qualifying disability, race, education, income, or native language.

3-YEAR PHASE-IN PERIOD

- Three-year phase-in begins on the day that the federal funding (waiver application) is approved.
- Each regional center will receive a number of participants based on their percentage of total consumers in California.
- Phase-in participants must reflect the diversity of their regional centers based on ethnicity, disability, geography, gender, and age.
- DDS will randomly select participants from among interested consumers using diversity factors.
- Pilot participants will automatically get spots in the phase-in period.
- To be eligible for the random selection process, you must attend a pre-enrollment informational session at your regional center.

PHASE-IN PARTICIPANT NUMBERS IN L.A. COUNTY REGIONAL CENTERS

- East Los Angeles – 114 (including 26 pilot consumers)
- Harbor – 98
- Lanterman – 74
- North LA – 174
- San Gabriel/Pomona – 102
- South Central – 107
- Westside – 67

Note: Numbers are estimates based on current population, which will likely vary slightly when programs commence.

PARTICIPANT RESPONSIBILITIES

- Go through an orientation and training.
- Develop a person-centered plan.
- Select individuals and groups to help implement that plan.
- Choose a Fiscal Manager to monitor your budget.
- Oversee the staff and agencies you have hired.
- Ensure that you don't overspend your budget.

PERSON-CENTERED PLANNING

- Process, directed by individual and/or family, to identify the strengths, capacities, preferences, needs and desired outcomes.
- Individual must be at the center of the plan and its development.
- Planning process will lead to the creation of short- and long-term goals in collaboration with those the individual has identified to support meeting those goals.
- Can be led by an Independent Facilitator. Family and supporters who attend are invited by the individual.
- Mandated by federal government.

VALUES OF PERSON-CENTERED PLANNING

- **Presume competence** – Each individual can direct the planning process, achieve goals, and build a meaningful life.
- **Behavior is communication** – Every individual can express preferences and make choices that should be honored.
- **Respect cultural diversity** – An individual's cultural background should be recognized and valued.
- **Maintain health and safety** throughout life, changing with circumstances.
- **Support individuals** to live where and with whom they want – The individual defines who is their community.

SERVICES THROUGH SELF-DETERMINATION

- Wide range, including traditionally funded services and unique supports to fulfill IPP and life goals. Can “think outside the box.”
- Services need not be “vendored,” meaning having a contract with a regional center. Providers can work for and support consumers in areas that they have been unable to under often strict regional center guidelines.
- Can access some services that were previously suspended or limited by the California legislature for budget reasons, such as social and recreation programs, camp, non-medical therapies, and respite.
- Services and supports funded through self determination must qualify for federal matching funds – the choices are more wide ranging than what traditional consumers receive.
- Cannot choose a service that could be paid for by another government agency (a “generic service”).
- Must follow the new Home and Community Based Services (HCBS) settings rules from the Center for Medicaid Services (CMS).

INDIVIDUAL BUDGET

- The individual budget is the amount of funding available to you to purchase the services and supports you need to implement your IPP.
- For current regional center consumers, the budget will equal the total expenditures (not authorized services) made by the regional center on your services during the past 12 months.
- This amount can be changed by the IPP team if there is a change in your circumstances or there are prior needs that were unaddressed in the IPP.
- The Individual Budget will not be increased to include additional funds for the Independent Facilitator or Financial Management Services.

THE INDEPENDENT FACILITATOR

- You can hire an Independent Facilitator to assist you and your family with the person-centered planning and IPP processes.
- The Independent Facilitator (I.F.) should know about available services and be able to “think outside of the box.”
- The I.F. can advocate and negotiate at IPPs and with service providers.
- The I.F. is paid from your Individual Budget or the I.F. can be your regional center service coordinator or a family member or friend.
- The I.F. cannot provide services to the participant and cannot be employed by an agency providing services.

FINANCIAL MANAGEMENT SERVICE

- Required to manage funds in the individual budget and pay for services and supports.
- Vendored and independent from the regional centers.
- Provide a monthly accounting of spending.
- Advise on the hiring of service and support workers and ensure employment laws are being followed.
- Can be used as employer for individual support staff.

SAFETY

- Individuals or staff from agencies who provide direct personal care services must submit to a criminal background check.
- Participants or the Financial Management Service can also request that any other provider submit to a criminal background check.
- The cost of the background check is paid by the person undergoing the check or their agency.

MAJOR DIFFERENCES BETWEEN TRADITIONAL AND SELF-DETERMINATION PROGRAMS

Who decides what services and who provides them?

Traditional:

Regional Center & IPP Team

Self-Determination:

Consumers and/or their families

Who pays the bills?

Traditional:

Regional Center

Self-Determination:

Financial Management Service

Responsibilities of consumers and families:

Traditional:

Participate in IPPs

Self-Determination:

Trainings, planning, work with
FMS, supervise staff/agencies

MAJOR DIFFERENCES BETWEEN TRADITIONAL AND SELF-DETERMINATION PROGRAM

Do service providers need to be vendored (authorized) by the regional center?

Traditional:

Yes

Self-Determination:

No, except for the FMS

Who monitors the quality of service providers?

Traditional:

Regional Center

Self-Determination:

Consumers and/or families

What kind of services can be provided?

Traditional:

Subject to restrictions by legislature and preferences of regional centers

Self-Determination:

Wide range of services including those that are restricted, such as social/recreation and camp.

MAKING SURE IT'S DONE RIGHT

- Each regional center must have a volunteer Local Advisory Committee. All advisory committees have had their first meeting and will continue to meet either monthly or quarterly.
- Majority of members must be consumers and family members. Half are appointed by the regional center and the other half by the local Area Board.
- Clients' Rights Advocates are also part of the committee.
- The State Council on Developmental Disabilities will convene a statewide advisory committee to identify best practices, design effective training materials, and make recommendations for improvements.
- DDS must collect and report outcome data to the State Legislature.

FIND OUT MORE ABOUT SELF-DETERMINATION

- Tell your regional center service coordinator that you are interested in being part of the Self-Determination Program.
- Ask your regional center about upcoming pre-enrollment informational meetings. You must attend to be part of the random selection of phase-in participants.
- Attend your regional center's Local Advisory Committee by contacting your regional center or the regional office of the State Council on Developmental Disabilities.
- Check the DDS website for updates at www.dds.ca.gov/SDP/Index.cfm
- Join the Autism Society of Los Angeles or Disability Rights of California email lists.
- THINK OUTSIDE THE BOX!